

SAMUEL & STEIN

ATTORNEYS AT LAW

1441 BROADWAY, SUITE 6085
PHONE: (212) 563 - 9884 | FAX: (212) 563 - 9884

DAVID STEIN
dstein@samuelandstein.com

VIA ECF

Philip M. Halpern, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas St.
White Plains, NY 10601

April 28

Application granted. All deadlines in this action are adjourned *sine die*. The jury trial scheduled for May 5, 2021 is cancelled. The parties are directed to file settlement documents, including a *Cheeks* fairness submission, by joint letter with a proposed Order for judicial review and approval by 5/28/2021.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
April 29, 2021

Re: **Marcial, et al. v. New Hudson Family Restaurant Inc., et al.**
Docket No. 18-CV-663 (PMH)(JCM)

Dear Judge Halpern:

We represent named plaintiff Eleazar Marcial and opt-in plaintiffs Mario Alberto Angel Leal and Alberto Sandoval Popoca in the above-referenced matter, and we write jointly with defendants' counsel, Carolyn Shields, Esq., to request for the first time an adjournment *sine die* of all dates in this case, including next week's jury trial (May 5, 6, and 7). The reason for our request is that the parties agreed to a settlement in principle yesterday afternoon, and we now have begun drafting a written settlement agreement. We respectfully request a few weeks' time to complete the agreement and to submit *Cheeks* fairness papers.

We thank the Court for its attention to this matter and are available at Your Honor's convenience should the Court have any questions regarding the foregoing.

Respectfully submitted,



David Stein

cc: Carolyn Shields, Esq. (via ECF)